

**MINUTES OF A REGULAR MEETING
OF THE
BOARD OF TRUSTEES
OF THE
TOWN OF BUENA VISTA, COLORADO
MAY 25, 2010**

WORK SESSION

A Work Session of the Board of Trustees convened at 6:00 PM on Tuesday, May 25, 2010, at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado. Present were Mayor Joel Benson, Trustees Keith Baker, Duff Lacy, Jerry Steinauer, Robert Flint, Carrie Carey, Town Administrator Sue Boyd, Town Planner Shannon Haydin, Public Works Director Roy Gertson, Town Engineer Rachel Friedman, Town Treasurer Christine DeChristopher and Town Clerk Diane Spomer to discuss a proposal for road improvements. Trustee Nyberg was absent.

Town Engineer Friedman presented detailed information on drainage, roads (paved and unpaved) and sidewalks that can use funds from the ½% sales tax; expected annual revenue based on historic sales tax would be \$250,000 and recommended working on drainage projects first. Some of the proposed projects include the Texaco Station, Shell Station, drainage issue on Beldan, the alley behind the Green Parrot Bar, Gregg Drive re-pavement (1 mile section), small projects that can be done the first year. Rachel noted a proposed schedule of projects through 2013 using the sales tax funds with remaining funds of \$42,190 followed by the larger projects totaling \$3,010,113 and highlighted sidewalk projects totaling \$1,640,064.

Discussion followed on drainage projects are proposed to be completed in 2011; cuts on Highway 24 that are not an access point; this presentation was given to the P&Z Commission and survey sheets were sent to all water utility customers; drainage should take precedence over all other projects; sidewalks are proposed at 10' and separated and striped; adding a bicycle path on W. Main; talk to P&Z Commission to get their input; getting an aerial of the Town for topography. The work session conclude at 6:51 PM.

CALL TO ORDER

The Regular meeting of the Board of Trustees was called back to order at 7:00 PM on Tuesday, May 25 2010, at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado by Mayor Joel Benson. Present were Trustees Norm Nyberg, Keith Baker, Jerry Steinauer, Duff Lacy, Carrie Carey, Robert Flint, Town Administrator Sue Boyd, Town Attorney Jeff Parker, Town Planner Shannon Haydin, Public Works Director Roy Gertson, Town Treasurer Christine DeChristopher and Town Clerk Diane Spomer.

ROLL CALL

Town Clerk Spomer proceeded with the roll call and declared a quorum.

PLEDGE OF ALLEGIANCE

Mayor Benson led in the Pledge of Allegiance.

AGENDA ADOPTION

Trustee Lacy noted there was nothing from the Rec. Board or Tree Board. Town Clerk Spomer advised that Erin Reavis had a correction to the Rec Board minutes and then needed to get a signature so their minutes would be on the next agenda.

Trustee Steinauer asked for an exact date when the Rules & Regulations on Item F were approved. Jeff Parker advised it was June 10, 2008 for the adopted version, but section 8 needs to be amended and will be part of tonight's approval. Jerry expressed it would be better for new members to review them as well as the Airport Commission before the Trustees approve. Sue stated this item could be continued since the Hearing was noticed.

Motion #1 by Trustee Baker, seconded by Trustee Lacy, to adopt the agenda as presented. Motion carried.

CONSENT AGENDA

A. Minutes

1. Regular Meeting – May 11, 2010

B. Advisory Boards

1. Planning & Zoning Commission

C. Should the Board approve adoption of Resolution #61, Series 2010, entitled "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, SUPPORTING A GRANT APPLICATION FOR THE ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FOR THE PURCHASE OF A NEW RESCUE PUMPER"?

Trustee Steinauer noted on page 22, the middle of the page regarding Swift Circle the HOA would take care of Swift Circle until August of this year and then the Town would discuss reviewing or accepting it as is and this item should be added to Sue's agenda to track.

Motion #2 by Trustee Lacy, seconded by Trustee Baker, to approve the Consent Agenda as presented. Motion carried.

PUBLIC COMMENT

Reed McCullough, Executive Director of Chaffee Housing Trust, stated there is an opportunity to represent their Board of Directors which will be split into three parts, one is for official representation, and extended the opportunity to the Board to have someone sit on the Chaffee Housing Trust Board to represent Buena Vista for the June Election.

Daniel Hamme held his comments for the Public Hearing
Paul Ahrens held his comments for the agenda item.

Jed Selby requested that the Capital Improvement Plan presentation be reviewed by P&Z; regarding the PUD Ordinance expressed concern that PUDs are generally for projects that would fall outside of what is "conventional"; come up with codes that are effective and flexible enough, felt the ordinance is good but they are still working out some wording issues and requested Council table for one more meeting.

Trustee Flint excused himself and left the meeting.

RESPONSE TO PUBLIC COMMENT

Reed McCullough advised that their meetings are held the last or third Friday of the month at the Toubert building in Salida or it can be held in Buena Vista if someone from Buena Vista were on the Board, the election is held the end of June and it would be ideal to have some at that time. Trustee Baker added that the seat for Buena Vista could be filled by someone in the community if they are willing to serve and the Trustees would appoint them. After a brief discussion Keith stated he will talk to the individuals he is aware of and bring their names forward.

Mayor Benson noted the Trustees directed the road improvements discussion to go before P&Z before any decisions are made and the PUD ordinance will be addressed later tonight.

OLD BUSINESS

CONTINUATION OF PUBLIC HEARING - Should the Board approve adoption of Ordinance #11, 2010, entitled "AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA

VISTA, COLORADO, ADDING A NEW ARTICLE IV TO CHAPTER 6 OF THE BUENA VISTA MUNICIPAL CODE REGULATING MEDICAL MARIJUANA DISPENSARIES"?

Attorney Parker noted the following information regarding HB 1284: the Bill was passed last week but not signed by the Governor yet; we now have State Legislation regulating medical marijuana operations; an optional cultivation license will allow you to grow marijuana but to get a license you have to be operating a marijuana center or an infused products manufacturing operation; local governments can ban any or all of the licenses via ordinance or by submitting the question to the electors; the Bill distinguishes between centers, cultivation operations or infused products operations; the Bill regulates primary care relations; the Board has to decide how to proceed to be consistent with the Bill; the Bill says you can extend the moratorium until the Department Of Revenue enacts regulations; the Local Licensing Authority can approve or deny and then it goes before the State Licensing Board. HB1284 notes local governments must have an ordinance in place regulating medical marijuana before 7/1/2010 and an application must be received by then for a dispensary to operate in the next year until D.O.R. regulations are enacted; if no ordinance is in place and no application filed by then you cannot get a license until DOR enacts their regulations; the Bill has minimum distance limitations but allows for local control with an ordinance; there is debate now if the Medical Marijuana Center and operation have to be in the same local jurisdiction - if you ban cultivation you are banning centers since they have to produce 70% of their own; there is discrepancy among attorneys that you can have a center and cultivation operation in the same jurisdiction and some feel you don't; there is a question on statute interpretation: if you have to have both operations in the same jurisdiction, if you ban cultivation you are banning medical marijuana centers and this issue is not clear.

Mayor Benson opened the public comment portion of the hearing at 7:30 PM.

Daniel Hamme, 29383 CR 358, has reviewed HB 1284 and how it will affect the ordinance before the Trustees and feels it is consistent and would allow operating a dispensary. Daniel suggested moving the 500 foot distance to 1000 feet to be consistent with the House Bill; felt the necessity of iron bars on the windows detracts from the healing aspect they are trying to create in Buena Vista that is only partly encompassed by marijuana; wants to do acupuncture and massage along with holistic approaches to healing; felt the other security measures were sufficient; is ready to move forward and wants to be the "model business" for success in Buena Vista.

With no other comments received the public comment portion of the hearing was closed at 7:36 PM.

Attorney Parker noted Council has the option of passing this ordinance or passing it with some revisions to be more consistent with HB1284 before July 1 to allow applications; if passed after July 1 changes will need to include the "center" and address three different kinds of operations.

Discussion followed on statistics of the number of dispensaries by population; we have not asked our local physicians to comment on this matter; SB109 that passed addresses physician/client relationship; adding criminal background checks for employees; requirements for pharmacists - they lock their narcotics and have no bars; (b) on page 57 should be similar to HB1284; addressing if there is a power outage; residents have not sought out the Trustees with concerns on this issue but have on others; timeline on adopting an ordinance to meet the July 1 deadline; passing the ordinance as an emergency ordinance; sales tax is the same as other businesses; the fee for the licensing can be set by resolution; proposed changes to the ordinance: section 6-50 revise "dispensary" to "centers" along with the definition to be consistent with HB 10-1284 and will reference the section; 6-53 (b) to be consistent to include grounds for denial of a license; 6-54 (4) delete all; page 58 (a) change 500 to 1000 feet; add battery back-up to the security system.

Motion #3 by Trustee Carey, seconded by Trustee Baker, to adopt Ordinance #11, Series 2010, with stated amendments. Motion carried.

SHOULD THE BOARD APPROVE A REQUEST TO MODIFY FEES FOR COTTONWOOD MEADOWS?

Sue Boyd advised the Board that Mr. Cogswell requested consideration of reimbursable fees for reviewing his first submittal as well as second submittal; staff has had invoices available for Trustee review since the last meeting; if the amount due from the first submittal is not reduced there is some opportunity to make it payable at a later date; the request to reduce fees for the second submittal is in the amount of \$1,102.50 for Cyndi Covell to attend the Public Hearing and \$700 for in-house staff time; the applicant is interested in eliminating the Wright Water and Covell fees to review the application; \$31,431.09 was appropriately invoiced and Cogswell feels he has some claims against the Town and that is his rationale for this request; applicant has asked to release the lien on his hangar and he is looking at some opportunities to refinance the project.

Paul Ahrens, 106 Shady Lane, noted that 12-15 years ago he stood before the Board about a similar developer and the Trustees explained the fees should not be borne by the tax payers; it was wrong at that time to reduce the fees and would be wrong again; the \$31,000 has been due for almost two years already, we cannot do this with a credit card company or mortgage without suffering consequences and felt it has gone on too long and the Town has expended the funds already.

Sue noted the applicant is prepared to pay \$15,000 now with the balance coming due at a later date; the total bill currently due is \$46,000.

Discussion followed on the bill would go with the property if the property is sold and if it goes into foreclosure it is collectable and takes priority and can be sent to the County Treasurer for collection; Trustee Steinauer remembered the meeting where Cyndi Covell was present and did not feel the Alperstein bill should be included as it was not really necessary for the water attorney to be present at that meeting; a normal subdivision process does not include water but an annexation does include water and water rights issues; rationale by the applicant for this request is to restructure the financing to keep the project moving forward; additional revenue is attached to the western half of the project; releasing the lien on the hangar at the airport. Attorney Parker noted this is a policy decision, but if any amounts owed are relieved we need a release of the claims, even though there is no merit to the claims; take the \$15,000, get the promissory note and deduct \$1802.50 from the total due; reduce the time frame to 24 months and if it goes longer interest charges are retroactive.

Motion #4 by Trustee Lacy, seconded by Trustee Carey, to approve with the revisions as stated. Motion carried.

Should the Board approve adoption of Resolution #62, Series 2010, entitled "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE TOWN OF BUENA VISTA AND MILLSTREAM METAL WORKS FOR THE DESIGN AND CONSTRUCTION OF THE E. MAIN STREET FURNITURE"?

Roy Gertson noted this contract will add furniture similar to what is at Mother's Bistro to five more bump-outs; the funds are budgeted; furniture will be placed in 6 bump-outs with a trash container and bench at four main intersections with mid blocks being done first.

Discussion held on the approval is for \$14,208 plus \$1800; fabrication is \$200; review and design can be done by Beautification for preliminary review; Exhibit A is usually the Scope of Services and Exhibit B is how payment is made and these two items are missing; Council can approve conditionally with the insertion of Exhibit A & B approved by Jeff Parker; rust issues need to be resolved before the "adopt a bench" program is implemented; construction time of 30 days; delete backrest benches from fourth Whereas clause.

Motion #5 by Trustee Lacy, seconded by Trustee Baker, to approve as amended above. Roll call vote: Lacy-aye, Baker-aye, Nyberg-aye, Steinauer-aye, Carey-aye. Motion carried.

A break was taken from 8:33 PM to 8:38 PM

NEW BUSINESS

PUBLIC HEARING – Should the Board approve adoption of Ordinance #17, Series 2010, entitled “AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, ADDING A NEW CHAPTER 19 TO THE BUENA VISTA MUNICIPAL CODE REGARDING RULES AND REGULATIONS FOR THE CENTRAL COLORADO REGIONAL AIRPORT”?

Sue Boyd outlined the purpose of the Ordinance is to introduce penalties and enforcement language into the airport Rules and Regulations that were adopted in 2008; a First Addendum was placed on the table; the Ordinance adopts the Rules and Regulations by reference as amended by the Addendum.

Mayor Benson opened the public comment portion of the hearing at 8:41 PM.

Lee Lechner, 30946 CR 356, Airport Commission member, asked the Trustees to put the codification on hold as the airport users and pilots and Commission desire to relook at the rules, there is concern of the unchecked authority a manager might have over developers at the airport and their power to cause mischief and referenced an issue that occurred recently; added that Jay Jones has a foundation, walls and trusses, he's the only private development out there and encouraged approval of his project.

With no other comments received the public comment portion of the hearing was closed at 8:44 PM.

Discussion followed on having a review of the Rules & Regulations by the Airport Commission, individuals currently working at the airport and the Trustees before adoption.

Motion #6 by Trustee Steinauer, seconded by Trustee Nyberg, to continue the Hearing to the first meeting in July for further review. Discussion followed on gathering input from the Airport Commission; adding a discussion to the June 22 meeting to discuss the Commission's findings. Motion carried. Trustee Carey voted against.

Should the Board approve adoption of Resolution #63, Series 2010, entitled “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, RATIFYING THE MARCH 8, 2006 HANGAR GROUND LEASE WITH JAY D. JONES WITH FIRST ADDENDUM”?

Sue Boyd provided history on the lease that was approved in 2006; Mr. Jones applied for a building permit to construct a hangar; in 2008 a termination of the ground lease was made based on violations of rules and regulations that was appealed and it was determined the violations were happening in a different hangar but not on the ground lease and it was therefore reinstated; Mr. Jones continued construction but due to economic conditions reduced construction; construction began again in 2010 but the Building Dept. advised Mr. Jones his building permit had expired and he requests the construction be extended to October 31, 2010.

Jay Jones gave an update on the construction of his hangar, is looking for completion the end of August but due to any unforeseen circumstances wants to extend his request to October 31 for completion.

Sue added that the original lease was not approved by Ordinance or Resolution and there is a ratification of the original ground lease. Trustee Carey noted she has not seen much activity on the hangar construction and questioned the completion date; noted garbage on the site and provided pictures.

Jay stated money was never the issue; he was slowed down to let concrete cure and his schedule; all parts and materials are paid for except the concrete but he has the funding; to get his lease he had to show financial responsibility; noted trash blows in from across the field and it is not his.

Discussion continued on Jay will be in default of his ground lease if construction is not complete by October 31 and the Town can take over the property; Jay turned in his paperwork but did not get his

building permit until May, 2008; Jay and Ryan worked out the permit issue and construction began in June, Ryan left in October and Jay was later cited for FAA violations, worked through the issues and had to prove things to new Administrator Boyd, then continued and noted other construction issues.

Motion #7 by Trustee Steinauer, seconded by Trustee Nyberg, to approve Resolution #63, Series 2010, and extend the deadline to October 31, 2010. Motion carried. Trustees Lacy & Carey voted against.

SHOULD THE BOARD APPROVE A REQUEST TO WAIVE THE APPLICATION FEES FOR A SPECIAL EVENT PERMIT AND USE OF THE RODEO GROUNDS FOR THE ANNUAL COLLEGIATE PEAKS STAMPEDE RODEO?

Town Planner Haydin referenced her memo and stated approval or denial is at Council's discretion.

Discussion held on what the Town puts into the rodeo grounds (annual budgeted funds, port-o-let in the summer, welding and fabrication work this year, maintenance on the Grand Stand the last few years); the fee is an application processing fee; the rodeo is a good event that brings a large number of people to Town.

Motion #8 by Trustee Steinauer, seconded by Trustee Lacy, to waive the fees for the rodeo grounds and Special Event Permit for the Annual Stampede Rodeo. Motion carried.

PUBLIC HEARING – Should the Board approve adoption of Ordinance #13, Series 2010, entitled "AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, REPEALING AND REENACTING SECTION 16-255 OF THE BUENA VISTA MUNICIPAL CODE PERTAINING TO LANDSCAPING STANDARDS"?

Town Planner Haydin stated this ordinance is to firm up standards; the Town Code refers to the planting guide that talks about plants but does not set minimum landscaping requirements; this will level the playing field for everyone and recognize water conservation measures and addresses planting of trees; P&Z was cautious of not over-regulating.

Mayor Benson opened the public comment portion of the hearing at 9:19 PM with none received and closed the comment portion of the hearing.

Discussion held on types of trees we do not want planted (weeping willows & cottonwoods due to root systems and amount of water usage-this can be added to the Planting Guide); property owner should not have to irrigate on Town property page 118 (3); water conservation; xeriscape landscaping principles and having a provision for zeroscape.

Motion #9 by Trustee Lacy, seconded by Trustee Baker, to approve Ordinance #13. Motion carried.

PUBLIC HEARING – Should the Board approve adoption of Ordinance #14, Series 2010, entitled "AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, AMENDING SECTION 16 OF THE BUENA VISTA MUNICIPAL CODE PERTAINING TO MEDICAL USES"?

Town Planner Haydin stated some medical offices in Town have a Special Use and some do not; it is currently permitted in all zone districts as a Special Use; this Ordinance proposes they be allowed in the B2 Zone Districts and defines a medical clinic.

Mayor Benson opened the public comment portion of the hearing at 9:35 PM with none received and closed the public comment portion of the hearing.

Motion #10 by Trustee Steinauer, seconded by Trustee Nyberg, to adopt Ordinance #14. Motion carried.

PUBLIC HEARING – Should the Board approve adoption of Ordinance #15, Series 2010, entitled "AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, AMENDING ARTICLE XI OF SECTION 18 OF THE BUENA VISTA MUNICIPAL CODE PERTAINING TO CONSTRUCTION OF FENCES"?

Shannon Haydin stated the ordinance is not intended to change the rules, but requires a permit to construct fences; this is not a cut and dry issue in Town due to the deer and people want landscaping; the permit would be free and would regulate 6' fences in front yards and Council may want to change the fence regulations entirely. The Current code allows 42" in the front yard and 6' in the back yard and has not been enforced in Town.

Mayor Benson opened the public comment portion of the hearing at 9:37 PM and read a letter from Mary Ludwig into the record.

With no other comments received the public comment portion of the hearing was closed at 9:41 PM.

Discussion held on residents should be able to do whatever height they want because of the deer problem in Town; for every law we enact we should eliminate two; some fences should be placed under scrutiny; we have height restrictions but no one abides by them; if we require permits people may not abide by the rules; remove the standards from the current code and allow residents to do what they want or enforce the current code; make the variance process easier and yet control the standards of the fence; deny the ordinance and work with P&Z on revised standards based on tonight's discussion.

Motion #11 by Trustee Steinauer, seconded by Trustee Carey, to deny the ordinance. Motion carried. Discussion held on chain link fencing; keep the fence ordinance as written (42" in front and 6' in the back yard) but a variance is required with administrative review and a \$20 fee – this item will be brought back.

PUBLIC HEARING – Should the Board approve adoption of Ordinance #16, Series 2010, entitled "AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, AMENDING SECTION 16-195 OF THE BUENA VISTA MUNICIPAL CODE PERTAINING TO SUBDIVISION REQUIREMENTS IN PLANNED UNIT DEVELOPMENTS"?

Shannon Haydin noted that as Rachel prepared the Public Works Manual, staff discovered in a PUD you can ask for waivers to the Subdivision Code and staff feels certain things should not be negotiated; this ordinance cleans up the likelihood of someone asking for approval of deviations from Town standards; P&Z reviewed the ordinance and in reviewing a letter from Jed, they chose to recommend this ordinance despite his concerns; on his concern about storm drainage being flexible – staff does not want to leave the door open too far; Jed feels there is more work to be done and the Ordinance should be continued.

Mayor Benson opened the public comment portion of the hearing at 10:01 PM with none received and closed the public comment portion of the hearing.

Discussion followed on why the Sanitation District was eliminated; zoning defines use; some types of use may want flexibility but bottom line uses should not be deviated from; not compromising on utilities; storm drainage could be changed to "storm drainage plans".

Motion #12 by Trustee Carey, seconded by Trustee Lacy, to approve Ordinance #16 with the addition of the language "Sanitation District". Motion carried.

Should the Board approve adoption of Resolution #64, Series 2010, entitled "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, SUPPORTING THE COOPERATIVE EFFORTS OF CHAFFEE COUNTY AND THE THREE

MUNICIPALITIES INCORPORATED WITHIN CHAFFEE COUNTY TO REACH AN INTERGOVERNMENTAL AGREEMENT FOR A COUNTY-WIDE SALES AND USE TAX"?

Town Treasurer DeChristopher noted after the Joint Intergovernmental Meeting she was asked to summarize what was discussed, the handout had not been distributed to everyone so a copy has been provided capturing the numbers of what was discussed; the Resolution has been approved by the County and City of Salida and states you are making a commitment to move forward with the County-Wide Sales Tax and a 4% Use Tax on building materials or vehicles; there has to be an agreement on the allocation of funds before the ballot question is set.

Discussion followed on placing both issues on the ballot runs the risk of not passing; the County wants to fund EMS and Dispatch and is marketing that information; if the ballot questions pass it takes effect January 1, 2011; the Town gives up 2% and we capture the tax through the allocation process through the County.

Motion #13 by Trustee Baker, seconded by Trustee Lacy, to approve Resolution #64, Series 2010. Motion carried.

STAFF REPORTS

TOWN ADMINISTRATOR

Administrator Boyd had the following items to cover:

- Met with the Colorado Center applicants and anticipate concurrent review of the Development Agreement and Filing I in August before the Board.
- Attended the Commissioners Hearing last week (page 171) regarding the proposed vacation of CR 302 and reiterated that the Town has some interest in developing water storage in Trout Creek Reservoir; the Hearing was continued to June 8, unless directed otherwise, staff will stick with that position; the County has since noted it is to the benefit of Buena Vista. Trustee Steinauer felt Sue's testimony should be put in writing. Council concurred.
- Staff had heard that Shell Oil has no interest in the Texaco Station and we have found that to be different through conversations and will have more updates.
- Spoke with a few Trustees and the Mayor about the value of putting an agenda tracking calendar in the packet. Council liked the idea.
- We have had conversations about rearranging agendas so attorney items are at the beginning, have him attend all meetings or just one a month to cut some fees. After a brief discussion it was decided staff will work on logistics.

AIRPORT MANAGEMENT

Administrator Boyd had the following items to cover:

- There are significant policy questions the Trustees need to answer and staff is proposing a work session on airport issues like the layout plan and Capital Improvement Plan before the June 8 meeting or between meetings. It was decided that June 8 will be for the airport issues and layout plan and June 22 for approval of the CIP.
- We had conversations with a few bidders on the security cameras; we are not sure we can use the remaining grant funds since it does not have a project tied to it; we are looking at a key card system to enter the building and airport gate as it is not secure. Specifics were provided for a key card system and the features along with the need for security cameras and some features. Council was supportive.
- Met with Mr. Mandes about the hangar and this can be discussed at the work session.
- The fire plane at the airport is for training with our Fire Department

TOWN TREASURER

- The proposal for tree carving is expected for the end of July; we should get proposals for updated/simpler drawings this week. Mayor Benson asked about funding that may be left over and the stump in Columbine Park. Roy noted he is aware of the other stump and will submit 4 or 5 drawings; we dropped the cost of what he submitted previously.

TOWN PLANNER

- Tony sent out letters to 24 people about their junk and then found 13 more; 3 have started cleaning up; nobody has contacted him about the letter. Trustee Carey asked if Tony would be the Enforcement Officer for the airport once the rules & regulations are adopted. Sue met with Dave and Chief Tidwell to discuss partnership on monitoring what is going on and they are not zoning issues; Dave will need to do some enforcement as part of his job duties.

TRUSTEE/STAFF INTERACTION

- Trustee Lacy was looking at a reference to Department Heads and noticed there is no definition and requested clarification. Sue stated that one priority is to overhaul our policies. Christine added that there is one definition (for PW Director and Police Chief) in the Town Code.
- A letter in the packet was referenced about the cost of a shower at the Community Center. Roy noted it costs about \$3; there have been problems with the hot water and it has been worked on; we may have a budget item next year to replace the system. Christine stated during the Trail Run runners were complaining about the water being cold and the cost.
- Trustee Steinauer asked about the Town hiring companies that have illegals working for them like the crack seal project where the workers did not speak English. Sue noted there is a provision in our agreement that addresses it. Attorney Parker stated based on State law we have a page in the contract where they have to verify qualifications through department programs and it should be monitored.
- Trustee Steinauer requested seeing suggestions on how we can save money in areas; in reviewing the attorney bills there was great use by everyone and hoped staff was working on curtailing expenses. Sue stated that staff has discussed it but it has not been discussed as a Trustee issue. Jerry heard that Ron Southard mentioned coming to talk to the Town. Sue advised that she met with him twice since she prepared her memo; something will be coming before the Board for consideration in August.
- Trustee Lacy asked about the July 8 NIMS training. Sue got an e-mail saying that is the date; this will become a formal requirement in 2011.
- Roy Gertson advised of the June 4 and 5 Town Clean Up Day and gave some specifics; the County donated a 30 yard dumpster.

EXECUTIVE SESSION - FOR A CONFERENCE WITH THE TOWN ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS UNDER C.R.S. SECTION 24-6-402 (4) (B) TO DISCUSS THE RUSSELL LAWSUIT

Motion #14 by Trustee Baker, seconded by Trustee Lacy, to enter into Executive Session for the purpose of receiving legal advice on specific legal questions under C.R.S. 24-6-402 (4) (b) to discuss the Russell lawsuit. Motion carried. Those present for Executive Session were Mayor Joel Benson, Trustees Jerry Steinauer, Norm Nyberg, Duff Lacy, Carrie Carey, Keith Baker, Town Administrator Sue Boyd and Town Attorney Jeff Parker.

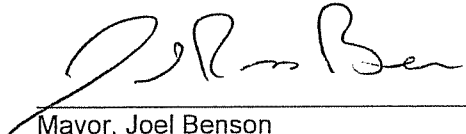
Executive Session was held from 11:03 PM to 11:20 PM.

Motion #15 by Trustee Nyberg, seconded by Trustee Steinauer, to adjourn to regular session. Motion carried.

ADJOURNMENT

Motion #16 by Trustee Nyberg, seconded by Trustee Baker, noting that there being no further business to come before the Board declared that the meeting be adjourned at 11:22 PM. Motion carried.

Respectfully submitted:



Mayor, Joel Benson



Town Clerk, Diane Spomer